

ASSEMBLY BILL

No. 2560

Introduced by Assembly Member Allen

February 24, 2012

An act to add Section 23826.11 to the Business and Professions Code, relating to alcoholic beverages.

LEGISLATIVE COUNSEL'S DIGEST

AB 2560, as introduced, Allen. Alcoholic beverages: licenses.

The Alcoholic Beverage Control Act, administered by the Department of Alcoholic Beverage Control, regulates the sale and distribution of alcoholic beverages and the granting of licenses for the manufacture, distribution, and sale of alcoholic beverages within the state. The act also provides for a limitation on the amount of on-sale general licenses that may be issued by the department based on the population of the county in which the licensed premises are located, as provided.

This bill would provide an exception to this limitation for a county of the 18th class, as specified.

The bill makes legislative findings and declarations regarding the necessity of a special statute.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 23826.11 is added to the Business and
- 2 Professions Code, to read:
- 3 23826.11. (a) Notwithstanding any other provision of this
- 4 chapter, in any county of the 18th class, commencing January 1,

1 2013, the department may issue five additional new original on-sale
2 general licenses for bona fide public eating places per year, for a
3 period of three years. Any premises to qualify for a license under
4 this section shall have a seating capacity for 50 or more diners. In
5 no event shall more than 15 on-sale general licenses for bona fide
6 eating places be issued under this section.

7 (b) In issuing the licenses provided for in this section, the
8 department shall follow the procedure set forth in Section 23961.

9 (c) Nothing in this chapter shall prohibit a person who currently
10 holds a valid on-sale general license for seasonal business from
11 applying for an original on-sale general license pursuant to this
12 section.

13 (d) A license issued under this section shall not be transferred
14 from one county to another nor shall it be transferred to any
15 premises not qualifying under this section.

16 SEC. 2. The Legislature finds and declares that a special law
17 is necessary and that a general law cannot be made applicable
18 within the meaning of Section 16 of Article IV of the California
19 Constitution because of the unique circumstances of the economy
20 of the county of the 18th class specified in Section 1, that are
21 applicable only to the county of the 18th class.